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*Attorneys for Defendants HealthSouth Corp.
And HealthSouth of Henderson, Inc.*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, *ex rel.*,
Joshua Luke

Case No.: 2:13-cv-01319-APG-VCF

Plaintiff.

V.

HEALTHSOUTH CORPORATION,
HEALTHSOUTH OF HENDERSON INC.,
KENNETH BOWMAN, JERRY GRAY, and
JAYA PATEL,

**STIPULATION TO EXTEND THE TIME
FOR DEFENDANTS TO RESPOND TO
THE FIRST AMENDED COMPLAINT**

(First Request)

Defendants.

Plaintiff-Relator Joshua Luke (“Plaintiff”), as relator in this action, and Defendants HealthSouth Corporation and HealthSouth of Henderson, Inc. (collectively, “HealthSouth Defendants”) and Kenneth Bowman (“Bowman”) (collectively, “Defendants”), by and through their undersigned counsel, hereby stipulate and agree, subject to this Court’s approval, as follows:

- 26 1. Whereas, Plaintiff filed his Complaint (Dkt. #1) in this action on July 24, 2013;
27 2. Whereas, the United States declined to intervene in this action pursuant to the False
28 Claims Act and this Court ordered that the Complaint be unsealed on May 9, 2017 (Dkt. #35);

1 3. Whereas, Plaintiff served the Complaint on the HealthSouth Defendants on June 1,
2 2017;

3 4. Whereas, Plaintiff asked Bowman to waive service of summons on May 23, 2017, and
4 Bowman agreed to waive service on June 20, 2017;

5 5. Whereas, the Defendants filed two Motions to Dismiss Plaintiff's Complaint on
6 July 24, 2017 (Dkt. #58, #59) and the HealthSouth Defendants filed a third Motion to Dismiss
7 Plaintiff's Complaint on that same day (Dkt. #60);

8 6. Whereas, this Court granted one of the Defendants' two Motions to Dismiss Plaintiff's
9 Complaint, and granted the HealthSouth Defendants' third Motion to Dismiss Plaintiff's Complaint
10 on March 7, 2018 (Dkt. #127);

11 7. Whereas, Plaintiff served the First Amended Complaint (Dkt. #132) on all Defendants
12 on April 9, 2018;

13 8. Whereas, the HealthSouth Defendants filed a Motion to Dismiss Plaintiff's First
14 Amended Complaint (Dkt. #133) on April 23, 2018;

15 9. Whereas, Bowman filed a Motion to Dismiss Plaintiff's First Amended Complaint
16 (Dkt. #134) on April 23, 2018;

17 10. Whereas, on June 26, 2018, this Court granted in part and denied in part the
18 Defendants' Motions to Dismiss Plaintiff's First Amended Complaint, and granted Plaintiff until
19 July 27, 2018 to file a second amended complaint (Dkt. #148);

20 11. Whereas, the deadline for the Defendants to respond to Plaintiff's First Amended
21 Complaint is currently July 13, 2018;

22 12. Whereas, Plaintiff has agreed to grant the Defendants until July 24, 2018 to respond
23 to Plaintiff's First Amended Complaint.

24 This stipulation is made in good faith, is not interposed for delay, and is not filed for an
25 improper purpose. This is the first stipulation to extend the time for the Defendants to respond to the
26 First Amended Complaint.

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1 DATED this 11th day of July, 2018.

2 **PISANELLI BICE PLLC**

3 /s/ James Pisanello

4 JAMES J. PISANELLI, ESQ.
Nevada Bar No. 4027
5 400 S. 7th Street, Suite 300
Las Vegas, NV 89101

6 DATED this 11th day of July, 2018.

7 **REED SMITH LLP**

8 /s/ R. Jeffrey Layne

9 R. JEFFREY LANE, ESQ.
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10 111 Congress Avenue, Suite 400
Austin, TX 78701

11 **Attorneys for Defendants HealthSouth Corp.
and HealthSouth of Henderson, Inc.**

13 DATED this 11th day of July, 2018.

14 **BRADLEY ARANT BOULT
CUMMINGS LLP**

16 /s/ Elizabeth Hamrick

17 ELIZABETH HAMRICK, ESQ.
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200 Clinton Avenue West, Suite 900
Huntsville, AL 35801

19 **Attorneys for Defendant
Kenneth Bowman**

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DATED this 11th day of July, 2018.

**THORNDAL, ARMSTRONG, DELK,
BALKENBUSH & EISINGER**

/s/ Craig Delk

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LAW OFFICE OF MERRIL HIRSH

/s/ Merril Hirsh

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DATED this 11th day of July, 2018.

MORGAN VERKAMP LLC

/s/ Frederick M. Morgan

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Attorneys for Relator Joshua Luke

ORDER

IT IS SO ORDERED:

UNITED STATES MAGISTRATE JUDGE

DATED: 7-11-2018

CASE NO.: 2:13-cv-01319-APG-VCF

CERTIFICATE OF SERVICE

I certify that on July 11, 2018, a copy of this document was filed using the Court's CM/ECF system. Copies of this document have been served by electronic means on all registered users of the Court's CM/ECF system who have appeared in this case.

/s/ R. Jeffrey Layne
R. Jeffrey Layne